

REGULAR COUNCIL MEETING SEPTEMBER 11, 2012

The regular meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on September 11, 2012 at 7:00 p.m.

- 1. Mayor Rudy Burgess called the meeting to order and presided.
- 2. David Sage, Minister, Grace Community Church, gave the invocation opening with a moment of silence in remembrance of 9-11 and those that have lost their lives in the battle against terrorism.

Council members
present:

Mr. J.R. Burgess
Mr. Ronald Coleman
Mrs. Beverley Dalton
Mr. Charles Edwards
Mr. Bill Ferguson
Mr. Jay Higginbotham
Mr. Michael Mattox

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Dan Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Chief Clay Hamilton, Police Department
Mr. John Eller, Town Attorney
Mr. John Tomlin, Public Works Director
Mrs. Megan Lucas, Economic Dev. Director
Mrs. Mary Hall, Administration

- 3. Mayor Burgess advised the agenda had been amended and asked if there were any questions regarding the agenda.

Mr. Edwards noted an item would be added to the agenda relating to the peer analysis study.

A motion was made by Mr. Edwards, seconded by Mr. Coleman, to approve the agenda as amended.

Motion carried:

VOTE:	Mr. Rudy Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

- 4. Mayor Burgess asked if there were any questions regarding the minutes of the August 14, 2012 Regular Council meeting.

A motion was made by Mr. Mattox, seconded by Mrs. Dalton that the minutes of the August 14, 2012 Regular Council meeting be approved as presented.

Motion carried:

VOTE:	Mr. Rudy Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

5. Review of Invoices
6. Financial Statements
7. Public Comment

Mayor Burgess asked if anyone not on the agenda would like to speak.

Mr. Herb Miller, President of Altavista on Track, came forward. He advised Council Ms. Aurelia (Ree) Harlow, Executive Director, has resigned. Altavista on Track will be contracting with Ms. Jo Kelley, former director of Altavista on Track.

8. Special Items or Recognitions
9. Public Hearings

- a. Section 74-310 & 311 "Prohibition of Trucks on Certain Town Streets

Mayor Burgess asked if the public hearing had been properly advised.

Mr. Coggsdale acknowledged that it had been. He advised over the past few months, Council has been considering language of a proposed ordinance that would prohibit trucks on certain town streets. The prohibition would exclude deliveries or pick-ups on the said streets. He stated at tonight's meeting Altavista Town Council will conduct a public hearing on the proposed ordinance (Section 74-310 & 311) regarding the prohibition of trucks on certain streets. The proposed streets are Lynch Mill Road (east of the corporate limits of the Town and to the west of the intersection of Clarion Road); Frazier Road (Lynch Mill Road to Lola Avenue Extension); and Ogden Road (Lynch Mill Road to terminus). Trucks using these streets or portions thereof for making pickups or deliveries on said streets are excluded from the prohibition.

Mayor Burgess opened the public hearing at 7:06 p.m. and asked if anyone would like to speak in regards to the prohibition of trucks on certain town streets. No one came forward. Mayor Burgess closed the public hearing at 7:07 p.m.

Mayor Burgess questioned the size of the trucks?

Mr. Coggsdale stated the ordinance calls for trucks weighing more than 7,500 pounds.

Mayor Burgess stated the reason for this is because of the number of trucks that are coming by the elementary school and the fear that someone might get hurt.

Mr. Edwards stated he understood limiting the trucks on Lynch Mill but did not understand the language regarding Frazier Road and Ogden Road.

Mr. Coggsdale clarified these two roads are included and exempt for pickups and deliveries. He stated if Frazier Road and Ogden Road were taken out of this, a truck could not get off of Route 29 and come down Lynch Mill Road because of the way the ordinance is written.

Mr. Edwards asked if traffic could be exempt on Ogden Road and Frazier Road for the purposes of delivery of Frazier Road and Ogden Road and you can exempt trucks on Lynch Mill Road for purposes of deliveries on Frazier Road and Ogden Road why would you not say no through trucks on Lynch Mill Road except for deliveries to Frazier Road and Ogden Road.

Mr. Eller stated they were trying to follow the authority that was given to us

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through the state code and if it is done in this manner, it stays within the wording of the authorizing statute.

Mr. Coleman asked if the ordinance addresses Council's intent.

Mr. Higginbotham questioned Council's purpose for this ordinance.

Mr. Mattox stated he had pictures of the traffic backed up on Lynch Mill during school hours and how dangerous the situation is. He stated anything that Council could do to reduce truck traffic should be done.

Mr. Higginbotham questioned if tickets would be given to one ton dually trucks and could the weight of 7,500 pounds be increased.

Mr. Eller stated the statute that is being operated under says truck. This definition covers a straight truck that weighs more than 7,500 pounds. He noted this was added to keep within the statutory authority.

Mrs. Dalton stated it would have to do with how the ordinance is enforced as to where the differential is made. The sign will read "Through trucks prohibited" and the definition of a truck will be generic by the state definition and you can't say a truck twice the size of a truck.

Mr. Eller stated the language for the sign will have to be decided upon because it will not say through trucks but trucks.

Mrs. Dalton used the example of a farm truck stopping at Mr. Mattox's store for a hot dog, would that person be in violation.

Mr. Eller stated they couldn't stop there because they would be in violation.

Mr. Higginbotham asked if the weight limit could be increased from 7,500 pounds to a higher limit.

Mr. Eller stated he didn't see how that would help the signage situation.

Mr. Mattox stated he would support Mr. Higginbotham because Council could say their ordinance is 10,000 pounds and the Chief of Police will know that is what is to be enforced.

Mr. Eller stated the ordinance says we are authorized to regulate trucks.

Mr. Mattox said we are telling the Chief he is authorized to not regulate anything under 11,000 pounds.

Mr. Eller stated this would be up to the Chief of Police for his discretion.

Mr. Higginbotham stated it didn't seem right to pass an ordinance that includes one ton trucks and not enforce it. He felt Council should include what they want and exclude the other.

Mr. Eller stated if the weight limits are changed it would give someone wiggle room to challenge a ticket.

Mr. Higginbotham suggested removing trucks from the ordinance.

Mr. Eller stated he was a little concerned with that also because the statute says trucks can be prohibited.

Mr. Coggsdale clarified changes to the proposed ordinance as removing the definition of truck and removing all references to truck from Section B.

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A motion was made by Mr. Mattox, seconded by Mr. Edwards to remove the definition of truck from “A” and all reference to truck from Section B in Section 74-311.

Motion carried:

VOTE:	Mr. Rudy Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

An Ordinance to add a new Article VIII Sections 74-310 and 74-311 to Chapter 74 of the Code of the Town of Altavista, 1968, relating to regulation of trucks on certain streets in the Town.

Be it ordained by the Town Council of the Town of Altavista:

1. That a new Article VIII, Sections 74-310 and 74-311 be added to Chapter 74 of the Code of the Town of Altavista, 1968, as follows:

Sec. 74-310. Purpose

The object of this ordinance is to secure and promote the safety of persons using the streets of the Town by prohibiting truck traffic on certain Town streets pursuant to the powers granted to the Town under Section 46.2-1304 of the Code of Virginia.

Sec. 74-311. Trucks Prohibited On Certain Streets in the Town.

A. Definitions.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

B. Tractor trucks and semitrailers shall not be used on the following streets in the Town:

1. That portion of Lynch Mill Road which lies to the east of the corporate limits of the Town and to the west of the intersection of Lynch Mill Road and Clarion Road.
2. Ogden Road from its intersection with Lynch Mill Road to its terminus.
3. Frazier Road from its intersection with Lynch Mill Road to its intersection with Lola Avenue Extension.

The above prohibition shall not apply to any tractor truck and semitrailer using any of the above-stated streets for the purpose of making pickups and deliveries on any of the said streets.

The above prohibition shall not apply to any emergency vehicle using the said streets in the pursuance of its mission.

2. This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.

9. Committees

a. Council Committees

i. Finance Committee

No report.

ii. Police Committee

Mr. Mattox advised of several items discussed in the Police

Committee meeting:

The multi-jurisdictional drug task force effort began in March 2012 with Detective Gary Penn representing the Town of Altavista. He noted there have been numerous indictments (50% in Altavista). Seven vehicles have been seized.

Two officers, Haugh and Jefferson are now motor carrier inspection certified. He presented Council with results for their recent inspections. Mr. Mattox stated the VLEPSC "Accreditation" process is moving forward with the mock assessment scheduled for March 2013. He also mentioned the Police Candidate Selection process is moving forward with the written/physical agility test conducted September 8. The oral/interview process is scheduled for September with a final selection to be made in October. Mr. Mattox advised the Altavista Police Department will interface with the areas of the community individually rather than conducting the community crime meeting which has been held the past two years. Mr. Mattox advised the C.E.R.T.S Team will be recognized in October and that two officers are out with medical issues.

iii. Public Works Committee

Mr. Ferguson advised the Public Works Committee met and discussed the following items.

Annual Services Contract-- Mr. Ferguson advised the existing annual services contract for engineering and related services has expired. This process allows the Town to handle the procurement issues on the front end and utilize such professional services when necessary. The Town would issue a Request for Proposals (RFP), evaluate the proposals and make a recommendation to Council. The selection of a firm or firms would not obligate the expenditure of any funds.

A motion was made by Mr. Ferguson, seconded by Mr. Edwards, that staff issue a Request for Proposals (RFP for engineering and related services.

Motion carried:

VOTE:	Mr. Rudy Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Construction Oversight/Inspection Services for Downtown Streetscape/infrastructure and Pittsylvania Avenue Intersection projects-- Mr. Ferguson advised staff is interested in exploring alternatives for services related to the Construction Administration and Resident Project Representative Services for the Downtown Streetscape/infrastructure and Pittsylvania Avenue Intersection projects that will go out to bid in the next thirty days. The Town has utilized Wiley/Wilson Inc. in this role for the past two Streetscape/Infrastructure projects and feels it may be advantageous to explore other options for said services. Staff is seeking authorization to explore alternatives, which may involve the issuance of a Request for Qualifications/Proposals or the potential hiring of a part-time/contract employee.

A motion was made by Mr. Ferguson, seconded by Mr. Edwards that staff be authorized to proceed with exploring the alternatives for Construction Oversight/Inspection Services for the Downtown Streetscape/ Infrastructure and Pittsylvania Avenue Intersection projects.

Motion carried:

VOTE:	Mr. Rudy Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Pet Convenience Stations—Mr. Ferguson advised at a previous Council meeting, Council voted to install two pet convenience stations along Bedford Avenue as a pilot project. There have been requests from citizens in Lakewood and on Myrtle Lane to install stations in those areas. The Lakewood subdivision would probably need two stations and the Myrtle Lane site would be at the intersection with Woodland Alley. He mentioned he has received a lot of feedback from citizens stating they like the convenience stations.

Mayor Burgess asked where this would stop.

Mr. Higginbotham said this is a personal decision and did not think it was fair to ask Altavista citizens to support this ultra convenience; a plastic bag and a place to put it.

Mr. Ferguson asked Mr. Higginbotham would he prefer dogs to use his yard.

Mrs. Dalton stated as a Councilperson her intent was to send out a message that Altavista is a community that cares and for people to take responsibility for their own dogs; the Town is providing some help with that. It is hard to determine how many are too many.

Mr. Mattox felt if another area of Town requested the convenience stations, the request needs to be honored.

A motion was made by Mr. Ferguson, seconded by Mr. Mattox, to install three convenience stations at the citizen’s request on Myrtle Lane and in the Lakewood Subdivision.

Motion carried:

VOTE:	Mr. Rudy Burgess	No
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	No
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	No
	Mr. Mike Mattox	Yes

Mr. Ferguson stated other topics of discussion included:

- Trade Lot Agreement with Band Boosters
- Use of open space at corner of Avondale Drive

Farmer's Market

iv. Utilities Committee

No report.

v. PCB Remediation Alternatives Committee

Mr. Higginbotham gave an update on the ongoing activities in regards to the PCBs. He stated Dr. Sowers' 60 day test is forthcoming so there will be more data on the Sedmite™ seeding on how much that has done to degrade the PCBs. He mentioned the trees in the 6th barrel will be planted this fall. Naturally Green said they will present 30 day results to the Committee this week. Dr. Licht took leaf samples on August 29. He mentioned Dr. Licht, Dr. Sowers, Mr. Steve Rock and their associates will be attending a PCB conference in Belgium. Mr. Higginbotham also mentioned Dr. Licht has asked for a sample of ash from the power plant. Mr. Higginbotham asked Mr. Tomlin to start thinking about how to make topsoil.

Mr. Mattox stated he and Mr. Edwards had discussed the natural degradation in ten years and the place where two of the three samples were taken at were at or below the allowable limit. The data that is being used is 10 years old, is it reasonable to retest to see if we are closer and maybe at the level we need to be.

Mr. Higginbotham felt this question should be referred to Dr. Sowers.

Mr. Edwards suggested taking the results when received and reference where it came from, keeping an ongoing map. He noted a report received from Dr. Sowers showed some degradation after 30 days.

Mr. Mattox asked if Dr. Sowers' method is working, does Council make sure they apply Dr. Sowers' method before planting more trees on top of it.

Mr. Edwards stated that is part of the study.

Mr. Higginbotham stated a muskrat destroyed the popular and willows in one of the barrels. These will be replanted in November. He also mentioned another meeting with Dr. Licht and Dr. Sowers is planned.

vi. ACTS Advisory Committee

b. Other

10. New Business

a. Delinquent Tax

Mrs. Shelton provided Council with the annual listing of delinquent taxpayers as required by section 70-3 of the Town code. This year's outstanding taxes total \$39,799.43. A decrease over last year's listing by approximately \$4,000. Personal Property taxpayers account for the majority of the listing totaling \$25,833.88 - most of which are taxes on vehicles. She mentioned she will be authorizing the Department of Motor vehicles to withhold registration of all vehicles owned by these taxpayers. Mrs. Shelton noted there is a \$40 administrative fee to remove a stop; half for the Town and half to DMV. The remainder of the listing accounts for outstanding real estate taxes totaling \$13,965.55. She asked permission from Council to advertise the presented listing of delinquent taxpayers in the Altavista

Journal and to prorate the cost of the ad to the delinquent taxpayers. Mrs. Shelton also mentioned prior to putting forth aggressive collecting efforts, over the last six years, we collected on average 98.67% of taxes billed each year. After advertising and placing stops on vehicles, our collection efforts over these six years increased to an average of 99.47%. According to our auditors, Robinson, Farmer, Cox Associates, based on their experience auditing local governments, most localities are around the mid 90's for a percent of tax levy collected. Mrs. Shelton also asked for permission from Council to write-off taxes for deceased individuals. She noted the listing for deceased individuals had been amended as one name was not included. The amended total is \$348.62.

Mr. Edwards noted Ms. Paula K. Wilkes wasn't on the deceased listing and should be. The new write-off amount is \$385.13

Mrs. Shelton also noted due to the statute of limitations regarding personal property taxes, the 2007 taxes in the amount of \$3,422.15 are due to be written off and requested permission from Council to write-off the 2007 delinquent personal property taxes. She noted collection efforts will continue thru June 2013 on the 2007 personal property taxes.

A motion was made by Mr. Edwards, seconded by Mrs. Dalton to advertise the presented listing of delinquent taxpayers in the Altavista Journal and to prorate the cost of the ad to the delinquent taxpayers; real estate: \$13,965.55 and personal property: \$25,833.88.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

A motion was made by Mrs. Dalton, seconded by Mr. Mattox, that the delinquent taxes for deceased individuals be written off as amended, in the total amount of \$348.62.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

A motion was made by Mr. Coleman, seconded by Mr. Edwards, that the 2007 delinquent taxes be written off, due to the statute of limitations, regarding personal property taxes in the amount of \$3,422.15.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

b. Citizen Concerns regarding Buzzards

Mr. Coggsdale advised he has received numerous complaints in regards to the buzzards/vultures roosting in the Moseley Heights area with concerns for the children and pets in the area and the issue of sanitation. Mr. Coggsdale asked Council for some options to deal with this issue.

Mayor Burgess told Mr. Coggsdale if a situation was found before the next Council meeting to move forward with it.

Mr. Coleman stated the buzzards use to roost on the Moseley Heights building but now are roosting on the house tops.

Someone in the audience mentioned they have changed their roof from a black roof to a white one and the buzzards have gone away.

Mr. Coleman advised he has researched some of the options for running the buzzards away but eventually they will return. He stated they are protected and cannot be killed.

Mrs. Dalton related she had problems with the buzzards at their lake home. A neighbor partitioned the Game and Inland Fisheries at a national level and received permission to shoot 20% of the total number. They were also told if some of the buzzards were hung in the trees, they would not return. She stated that was three years ago.

It was the consensus of Council that staff researches a possible answer to the buzzard problem.

c. Virginian Railway Heritage Trail Request

Mr. Coggsdale advised of an e-mail received from Mrs. Patty Eller, President of the Altavista Area Chamber of Commerce. The email is a request from Mr. Aubrey Wiley of Lynchburg representing the Virginian Railway Heritage Trail and is requesting Altavista participate in this tourism related project. The email requests that participating localities fund the cost of the signs (\$55 each) for the trail site stops in their area. There are two identified sites in Altavista, the Altavista Train Station and a location in English Park which would give a view of the railway bridge over the Staunton River. The group has a blog located at:

<http://virginianrailwayheritagetrail.blogspot.com/>

A motion was made by Mr. Edwards, seconded by Mr. Mattox, to fund the cost of two signs for the trail site stops in a total amount of \$110.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

d. Appointment

i. BZA

Mr. Coggsdale advised Mr. David Sease's term on the Board of Zoning Appeals expires during the month of September. Mr. Sease has served on the Board of Zoning Appeals since September 2007. Staff has contacted Mr. Sease and he is agreeable to serve another five year term to September 2017.

A motion was made by Mr. Mattox, seconded by Mr. Ferguson, to reappoint Mr. David Sease to the Board of Zoning Appeals for a five (5) year term ending September 30, 2017.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

11. Unfinished Business

a) Consideration of Installation of Streetlights on Bedford Avenue

Mr. Coggsdale stated the Public Works Committee reported to the Town Council their consideration of streetlights on Bedford Avenue between Beverly Heights and River Road on the south side of the street. Following discussion, staff was asked to research the possibility of installation of solar powered lights. Staff has contacted a solar light provider and submitted an analysis for Council's consideration. Staff compared the installation costs, as well as any known on-going maintenance & operational costs and looked at them both as a no cost increase and a 5% adjustment each five year period. The solar powered lights would prove to be financially beneficial in 39 to 48 years, depending on the analysis used. The higher initial investment of the solar lights is compared to the on-going expenses of the electrical lights, in the scenario without an increase the solar lights reap a \$1,280 savings each five year period while the adjusted scenario begins at a \$1,300+ savings and climbs each five year period. These annual savings are utilized to offset the difference in the initial investments. The life expectancy of the lights or the solar panels is not known, based on information provided by the manufacturer or supplier. All maintenance of the solar lights would be the Town's responsibility, while the electric lights would be maintained by Dominion.

Mr. Higginbotham related a family member has solar powered his home and it will take 15 years for him to recoup the cost of switching to solar. He stated the technology is not here today but is improving every day. He asked to view some of the photographs and literature the Town Manager has gathered. He said he wasn't sure this was something that needed to be decided upon tonight.

Mrs. Dalton stated it did not appear that the financial gain would be much.

A motion was made by Mrs. Dalton, seconded by Mr. Mattox, to take the electrical route when installing streetlights on Bedford Avenue.

Mr. Higginbotham felt this would be the ideal test site if Council ever wanted to go solar and asked that it be tabled for a month or two until more data is received.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	No
	Mr. Mike Mattox	Yes

12. Town Manager's Report

Mr. Coggsdale referred to the Work Session held before the Council meeting in which the Peer Analysis Study was discussed and asked Council how to move forward.

A motion was made by Mr. Edwards, seconded by Mrs. Dalton, to budget an amount not to exceed \$225 a day and not to exceed 12 days without further visitation with Council and to ask Mr. Morgan Allen to prepare the analysis.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

a) Project Updates

VDOT Enhancement Project and Downtown Utility Replacement Project Pittsylvania Avenue Intersection Improvements

Mr. Coggsdale distributed to Council a letter from VDOT granting the Town federal authorization to bid on the streetscape and the intersection project. Now ready to move forward with bidding this project.

WWTP Emergency Overflow Pond

Discussed previously in meeting.

b) Reports

- i. Departmental
- ii. Others

c) Other Items as Necessary

d) Informational Items

a) Matters from Town Council Members

Mayor Burgess asked if there was anything else to bring before Council.

No one came forward.

b) Closed Session

Mr. Coleman moved that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950, as amended,

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Section 2.2-3711 (A)(3) regarding discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body

Section 2.2-3711 (A)(5) regarding discussion concerning a prospective business or industry or the expansion of an existing industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

A motion was made by Mr. Edwards, and seconded by Mrs. Dalton.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Council went into closed session at 8:18 P.M.

Notice was given that council was back in regular session 8:40 P.M.

FOLLOWING CLOSED SESSION

A motion was made by Mr. Mattox, seconded by Mr. Ferguson to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the town council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the town council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the town council.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

A motion was made by Mr. Coleman, seconded by Mrs. Dalton, to approve the incentive package to Graham Packaging in the total sum of \$36,750 paid annually for four years in the amount of \$9,187.50 and authorize the Town Manager to execute the performance agreement.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes

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Mrs. Beverley Dalton	Yes
Mr. Charles Edwards	Yes
Mr. Bill Ferguson	Yes
Mr. Jay Higginbotham	Yes
Mr. Mike Mattox	Yes

The meeting was adjourned at 8:41 p.m.

J.R. Burgess, Mayor

J. Waverly Coggsdale, III, Clerk